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Keenan & Doris, LLC

71 Union Avenue, Suite 105

Rutherford, New Jersey 07070

(201) 355-8110

tkeenand@keenandoris.com

Attorneys for Defendants, County of Sussex and Sheriff Robert E. Untig

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

Plaintiff(s)

KATRINA CONSTANTINACOS
and
ALYSIA CONSTANTINACOS,

v.

Defendant(s)

ALEX MURO, in his individual capacity;
MATHEW S. INGLESIA, individually; D.J.
BALBO II, individually; S.D. KRISANDA,
individually; K.J. BROWN, individually;
SGT. B.E. WEIS, individually; DSG J.A.
SALOKAS, individually; COLONEL
JOSEPH R. FUENTES, PH.D., individually;
COUNTY OF SUSSEX; SUSSEX COUNTY
SHERIFF ROBERT E. UNTIG, in his
individual and official capacity, TROOPER
DEFENDANTS JOHN/JANE DOES 1-5, in
their individual capacity; SUPERVISING
TROOPER DEFENDANTS JOHN/JANE
DOES 5-10, in their Individual capacity;
SUSSEX COUNTY DEFENDANTS
JOHN/JANE DOES 10-15, in their individual
and official capacities, SUPERVISING
SUSSEX COUNTY DEFENDANTS
JOHN/JANE DOES 15-20, in their individual
and official capacity.

Case No.: 3:12-cv-07068 (FLW) (LHG)

CIVIL ACTION

**ANSWER TO FIRST AMENDED
COMPLAINT, SEPARATE DEFENSES,
CROSSCLAIMS, JURY DEMAND and
DEMAND FOR STATEMENT OF
DAMAGES**

Filed Electronically

Defendants, County of Sussex, and Sussex County Sheriff Robert E. Untig (hereinafter collectively "Sussex County Defendants"), by way of Answer to the First Amended Complaint

herein, by their attorneys, Keenan & Doris, say:

AS TO THE PARTIES

1. The statements of paragraph 1 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

2. The statements of paragraph 2 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

3. The statements of paragraph 3 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

4. The statements of paragraph 4 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

5. The statements of paragraph 5 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

6. The statements of paragraph 6 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

7. The statements of paragraph 7 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

8. The statements of paragraph 8 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

9. The statements of paragraph 9 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

10. The statements of paragraph 10 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

11. The statements of paragraph 11 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

12. The statements of paragraph 12 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

13. To the extent that the allegations of paragraph 13 can be construed to be factual allegations against the Sussex County Defendants, the allegations are denied.

14. To the extent that the allegations of paragraph 14 can be construed to be factual allegations against the Sussex County Defendants, the allegations are denied.

15. Answering the allegations of paragraph 15 the Sussex County Defendants generally admit that Defendant Robert Untig at relevant times herein served as Sheriff for the County of Sussex. To the extent that the further statements of paragraph 15 do not constitute factual allegations against the Sussex County Defendants, the Sussex County Defendants make no response

and leave Plaintiffs to their proofs. To the extent that the further statements of paragraph 15 can be construed to constitute factual allegations against the Sussex County Defendants, the allegations are denied.

16. To the extent that the allegations of paragraph 16 can be construed to be factual allegations against the Sussex County Defendants, the allegations are denied.

17. The statements of paragraph 17 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

18. The statements of paragraph 18 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

19. The Sussex County Defendants deny the allegations of paragraph 19.

AS TO FACTS COMMON TO ALL COUNTS

20. The statements of paragraph 20 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

21. The statements of paragraph 21 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

22. The statements of paragraph 22 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

23. The statements of paragraph 23 do not constitute factual allegations against the

Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

24. The statements of paragraph 24 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

25. The statements of paragraph 25 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

26. The statements of paragraph 26 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

27. The statements of paragraph 27 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

28. The statements of paragraph 28 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

29. The statements of paragraph 29 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

30. The statements of paragraph 30 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

31. The statements of paragraph 31 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

32. The statements of paragraph 32 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

33. The statements of paragraph 33 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

34. The statements of paragraph 34 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

35. The statements of paragraph 35 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

36. The statements of paragraph 36 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

37. The statements of paragraph 37 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

38. The statements of paragraph 38 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and

leave Plaintiffs to their proofs.

39. The statements of paragraph 39 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

40. The statements of paragraph 40 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

41. The statements of paragraph 41 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

42. The statements of paragraph 42 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

43. The statements of paragraph 43 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

44. The statements of paragraph 44 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

45. The statements of paragraph 45 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

46. The statements of paragraph 46 do not constitute factual allegations against the

Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

47. The statements of paragraph 47 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

48. The statements of paragraph 48 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

49. The statements of paragraph 49 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

50. The statements of paragraph 50 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

51. The statements of paragraph 51 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

52. The statements of paragraph 52 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

53. The statements of paragraph 53 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

54. The statements of paragraph 54 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

55. The statements of paragraph 55 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

56. The statements of paragraph 56 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

57. The statements of paragraph 57 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

58. The Sussex County Defendants deny the allegations of paragraph 58.

59. The Sussex County Defendants deny the allegations of paragraph 59.

60. The Sussex County Defendants deny the allegations of paragraph 60.

61. Answering the allegations of paragraph 61, the Sussex County Defendants admit that at relevant times herein Plaintiff Alyssia Constantinacos was detained in the Sussex County Keogh-Dwyer Correctional facility. The Sussex County Defendants further admit that Plaintiff Alyssia Constantinacos was processed, which included fingerprinting and photographing. The Sussex County Defendants further admit that Plaintiff was detained until she posted bail at which time she was released. The Sussex County Defendants deny the further allegations of paragraph 61.

62. The statements of paragraph 62 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and

leave Plaintiffs to their proofs.

63. The statements of paragraph 63 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

64. The statements of paragraph 64 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

65. The statements of paragraph 65 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

66. The statements of paragraph 66 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

67. The statements of paragraph 67 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

68. The statements of paragraph 68 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

69. The statements of paragraph 69 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

70. The statements of paragraph 70 do not constitute factual allegations against the

Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

71. The statements of paragraph 71 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

72. The statements of paragraph 72 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

73. The statements of paragraph 73 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

74. The statements of paragraph 74 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

75. Answering the allegations of paragraph 75, the Sussex County Defendants generally admit that Plaintiff Katrina Constantinacos was processed and detained at the Keogh-Dwyer Correctional facility. The Sussex County Defendants further admit that detainees' clothes are inventoried and stored and that detainees are issued jail uniforms.

76. The Sussex County Defendants deny the allegations of paragraph 76.

77. The Sussex County Defendants deny the allegations of paragraph 77.

78. To the extent that the statements of paragraph 78 can be construed to be factual allegations against the Sussex County Defendants, the allegations are denied.

79. The Sussex County Defendants deny the allegations of paragraph 79.

80. The Sussex County Defendants deny the allegations of paragraph 80.

81. The statements of paragraph 81 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

82. The statements of paragraph 82 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

83. The statements of paragraph 83 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

84. The statements of paragraph 84 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

85. The statements of paragraph 85 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

AS TO COUNT I

86. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 85 as if set forth at length herein.

87. The statements of paragraph 87 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

88. The statements of paragraph 88 do not constitute factual allegations against the

Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

89. The statements of paragraph 89 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

90. The statements of paragraph 90 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

91. The statements of paragraph 91 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

92. The statements of paragraph 92 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

AS TO COUNT II

93. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 92 as if set forth at length herein.

94. The statements of paragraph 94 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

95. The statements of paragraph 95 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

96. The statements of paragraph 96 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

97. The statements of paragraph 97 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

98. The statements of paragraph 98 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

99. The statements of paragraph 99 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

AS TO COUNT III

100. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 99 as if set forth at length herein.

101. The statements of paragraph 101 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

102. The statements of paragraph 102 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

103. The statements of paragraph 103 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and

leave Plaintiffs to their proofs.

104. The statements of paragraph 104 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

AS TO COUNT IV

105. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 104 as if set forth at length herein.

106. The statements of paragraph 106 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

107. The statements of paragraph 107 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

108. The statements of paragraph 108 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

109. To the extent that the allegations of paragraph 109 can be construed to be allegations against the Sussex County Defendants, the allegations are denied.

110. To the extent that the allegations of paragraph 110 can be construed to be allegations against the Sussex County Defendants, the allegations are denied.

AS TO COUNT V

111. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 110 as if set forth at length herein.

112. The statements of paragraph 112 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

113. To the extent that the allegations of paragraph 113 can be construed to be allegations against the Sussex County Defendants, the allegations are denied.

114. To the extent that the allegations of paragraph 114 can be construed to be allegations against the Sussex County Defendants, the allegations are denied.

115. To the extent that the allegations of paragraph 115 can be construed to be allegations against the Sussex County Defendants, the allegations are denied.

116. To the extent that the allegations of paragraph 116 can be construed to be allegations against the Sussex County Defendants, the allegations are denied.

AS TO COUNT VI

117. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 116 as if set forth at length herein.

118. To the extent that the allegations of paragraph 118 can be construed to be allegations against the Sussex County Defendants, the allegations are denied.

119. To the extent that the allegations of paragraph 119 can be construed to be allegations against the Sussex County Defendants, the allegations are denied.

120. To the extent that the allegations of paragraph 120 can be construed to be allegations against the Sussex County Defendants, the allegations are denied.

AS TO COUNT VII

121. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 120 as if set forth at length herein.

122. To the extent that the allegations of paragraph 122 can be construed to be allegations against the Sussex County Defendants, the allegations are denied.

123. To the extent that the allegations of paragraph 123 can be construed to be allegations against the Sussex County Defendants, the allegations are denied.

124. To the extent that the allegations of paragraph 124 can be construed to be allegations against the Sussex County Defendants, the allegations are denied.

125. To the extent that the allegations of paragraph 125 can be construed to be allegations against the Sussex County Defendants, the allegations are denied.

126. The allegations of paragraph 126 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

127. The allegations of paragraph 127 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

128. The allegations of paragraph 128 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

129. The allegations of paragraph 129 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

AS TO COUNT VIII

130. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 129 as if set forth at length herein.

131. The allegations of paragraph 131 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

132. The allegations of paragraph 132 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

133. The allegations of paragraph 133 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

134. The allegations of paragraph 134 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

135. The allegations of paragraph 135 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

136. The allegations of paragraph 136 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

137. The allegations of paragraph 137 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

138. The allegations of paragraph 138 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

139. The allegations of paragraph 139 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

140. The allegations of paragraph 140 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

141. The allegations of paragraph 141 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

142. The allegations of paragraph 142 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

AS TO COUNT IX

143. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 142 as if set forth at length herein.

144. The statements of paragraph 144 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

145. The statements of paragraph 145 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

146. The Sussex County Defendants deny the allegations of paragraph 146.

147. The Sussex County Defendants deny the allegations of paragraph 147.

148. The Sussex County Defendants deny the allegations of paragraph 148.

149. The Sussex County Defendants deny the allegations of paragraph 149.

150. The Sussex County Defendants deny the allegations of paragraph 150.

151. The Sussex County Defendants deny the allegations of paragraph 151.

152. The Sussex County Defendants deny the allegations of paragraph 152.

153. The Sussex County Defendants deny the allegations of paragraph 153.

AS TO COUNT X

154. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 153 as if set forth at length herein.

155. The Sussex County Defendants deny the allegations of paragraph 155.

156. The Sussex County Defendants deny the allegations of paragraph 156.

157. The Sussex County Defendants deny the allegations of paragraph 157.

158. The Sussex County Defendants deny the allegations of paragraph 158.

159. The Sussex County Defendants deny the allegations of paragraph 159.

160. The Sussex County Defendants deny the allegations of paragraph 160.

161. The Sussex County Defendants deny the allegations of paragraph 161.

162. The Sussex County Defendants deny the allegations of paragraph 162.

AS TO COUNT XI

163. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 162 as if set forth at length herein.

164. The statements of paragraph 164 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

165. The statements of paragraph 165 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

166. The statements of paragraph 166 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

AS TO COUNT XII

167. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 166 as if set forth at length herein.

168. The allegations of paragraph 168 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

169. The allegations of paragraph 169 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

170. The allegations of paragraph 170 are not directed to the Sussex County Defendants.

Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

171. The allegations of paragraph 171 are not directed to the Sussex County Defendants.

Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

172. The allegations of paragraph 172 are not directed to the Sussex County Defendants.

Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

173. The Sussex County Defendants deny the allegations of paragraph 173.

174. The Sussex County Defendants deny the allegations of paragraph 174.

175. The Sussex County Defendants deny the allegations of paragraph 175.

176. The Sussex County Defendants deny the allegations of paragraph 176.

177. The Sussex County Defendants deny the allegations of paragraph 177.

AS TO COUNT XIII

178. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 177 as if set forth at length herein.

179. The Sussex County Defendants deny the allegations of paragraph 179.

180. The Sussex County Defendants deny the allegations of paragraph 180.

181. The Sussex County Defendants deny the allegations of paragraph 181.

182. The Sussex County Defendants deny the allegations of paragraph 182.

183. The Sussex County Defendants deny the allegations of paragraph 183.

AS TO COUNT XIV

184. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 183 as if set forth at length herein.

185. The Sussex County Defendants deny the allegations of paragraph 185.

186. The Sussex County Defendants deny the allegations of paragraph 186.

187. The Sussex County Defendants deny the allegations of paragraph 187.

188. The Sussex County Defendants deny the allegations of paragraph 188.

189. The statements of paragraph 189 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

190. The Sussex County Defendants deny the allegations of paragraph 190.

191. The statements of paragraph 191 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

AS TO COUNT XV

192. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 191 as if set forth at length herein.

193. The Sussex County Defendants deny the allegations of paragraph 193.

194. The statements of paragraph 194 do not constitute factual allegations against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

195. The allegations of paragraph 195 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

196. The allegations of paragraph 196 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

197. The allegations of paragraph 197 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

198. The allegations of paragraph 198 are not directed to the Sussex County Defendants.

Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

AS TO COUNT XVI

199. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 198 as if set forth at length herein.

200. The Sussex County Defendants deny the allegations of paragraph 200.

201. The Sussex County Defendants deny the allegations of paragraph 201.

202. The Sussex County Defendants deny the allegations of paragraph 202.

AS TO COUNT XVII

203. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 202 as if set forth at length herein.

204. The Sussex County Defendants deny the allegations of paragraph 204.

205. The Sussex County Defendants deny the allegations of paragraph 205.

AS TO COUNT XVII

206. The Sussex County Defendants repeat and reiterate each and every response to the allegations of paragraphs 1 through 205 as if set forth at length herein.

207. The allegations of paragraph 207 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

208. The allegations of paragraph 208 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

209. The allegations of paragraph 209 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

210. The allegations of paragraph 210 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

211. The allegations of paragraph 211 are not directed to the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response and leave Plaintiffs to their proofs.

AS TO PRAYER FOR RELIEF

1. The statement of paragraph 1 does not constitute a factual allegation against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response.

2. The statement of paragraph 2 does not constitute a factual allegation against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response.

3. The statement of paragraph 3 does not constitute a factual allegation against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response.

4. The statement of paragraph 4 does not constitute a factual allegation against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response.

5. The statement of paragraph 5 does not constitute a factual allegation against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response.

6. The statement of paragraph 6 does not constitute a factual allegation against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response.

7. The statement of paragraph 7 does not constitute a factual allegation against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response.

8. The statement of paragraph 8 does not constitute a factual allegation against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response.

9. The statement of paragraph 9 does not constitute a factual allegation against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response.

10. The statement of paragraph 10 does not constitute a factual allegation against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response.

11. The statement of paragraph 11 does not constitute a factual allegation against the Sussex County Defendants. Accordingly, the Sussex County Defendants make no response.

SEPARATE DEFENSES

FIRST SEPARATE DEFENSE

Plaintiffs' Complaint fails to state a claim against the Sussex County Defendants as a matter of law.

SECOND SEPARATE DEFENSE

To the extent that Plaintiffs have pleaded non-constitutional, common law claims, the claims are barred by application of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1, et. seq.

THIRD SEPARATE DEFENSE

The Sussex County Defendants are public entities and public employees and, as such, are not liable to Plaintiffs because any act or omission of any employee or corrections officer was done in good faith in the execution or enforcement of the laws of the State of New Jersey.

FOURTH SEPARATE DEFENSE

No punitive damages may be awarded against the Sussex County Defendants pursuant to N.J.S.A. 59:9-2(c).

FIFTH SEPARATE DEFENSE

Plaintiffs' claims are barred by the doctrine of qualified or "good faith" immunity under 42 U.S.C. Section 1983, as said doctrine pertains to the actions of executive officers or State officers in the performance of their discretionary functions under State Law.

SIXTH SEPARATE DEFENSE

Plaintiffs' damages, if any, were caused by third persons not under the control of the Sussex County Defendants and for whom the Sussex County Defendants are not responsible.

SEVENTH SEPARATE DEFENSE

Plaintiffs' demand for punitive damages is barred by the Eighth Amendment to the United States Constitution, by the New Jersey Constitution, and by the provisions of N.J.S.A. 59:10-1, et seq., and the New Jersey Punitive Damages Act.

EIGHTH SEPARATE DEFENSE

Plaintiffs' civil rights claims are barred as a result of Plaintiffs' inability to establish a custom, policy or practice by the Sussex County Defendants which caused or contributed to the alleged civil rights violation.

NINTH SEPARATE DEFENSE

Plaintiffs' claims as to the Sussex County Corrections Officers and Administrators are barred by the doctrine of qualified "good faith" immunity under 42 U.S.C. Section 1983, as said doctrine pertains to the actions of police officers in furtherance of their duty to enforce the laws of the State of New Jersey.

TENTH SEPARATE DEFENSE

The Complaint fails to state a claim upon which relief may be granted pursuant to Fed.R.Civ.P. 12(b)(6).

CROSSCLAIM FOR CONTRIBUTION

The Sussex County Defendants demand contribution from all Co-Defendants under the provisions of the New Jersey Joint Tortfeasors Contribution Act, the Comparative Negligence Act and any other applicable Federal Statute.

CROSSCLAIM FOR COMMON LAW INDEMNIFICATION

While the Sussex County Defendants deny any negligence or legal duty in this case, in the event that the Sussex County Defendants are adjudged responsible, such liability would be solely

vicarious, imputed, secondary or technical, while the conduct of all Co-Defendants would be the active and primary basis for Plaintiffs' injuries and damages.

WHEREFORE, the Sussex County Defendants demand judgment for common law indemnification against all Co-Defendants plus interest and costs of suit.

JURY DEMAND

Please take notice that demand is hereby made for trial by jury on all issues so triable.

DEMAND FOR STATEMENT OF DAMAGES

Pursuant to Local Civil Rule 8.1, the Sussex County Defendants hereby request that Plaintiffs furnish to Defendants within ten (10) days after service hereof, a written statement of damages claimed in the within action against these Defendants.

CERTIFICATION

Pursuant to Local Rule 11.2, I hereby certify that I am not aware of the within matter in controversy being the subject of any other action pending in any court or arbitration forum. I certify that no such action or arbitration proceeding is presently contemplated.

KEENAN & DORIS, LLC

Attorneys for Defendants, County of Sussex and
Sussex County Sheriff Robert E. Untig

By: /s/ Thomas A. Keenan

THOMAS A. KEENAN

Dated: January 11, 2013.

7161-79

Keenan & Doris, LLC

71 Union Avenue, Suite 105

Rutherford, New Jersey 07070

(201) 355-8110

tkeenan@keenandoris.com

Attorneys for Defendants, County of Sussex and Sheriff Robert E. Untig

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

Plaintiff(s)

KATRINA CONSTANTINACOS
and
ALYSIA CONSTANTINACOS,

v.

Defendant(s)

ALEX MURO, in his individual capacity;
MATHEW S. INGLESIAS, individually; D.J.
BALBO II, individually; S.D. KRISANDA,
individually; K.J. BROWN, individually;
SGT. B.E. WEIS, individually; DSG J.A.
SALOKAS, individually; COLONEL
JOSEPH R. FUENTES, PH.D., individually;
COUNTY OF SUSSEX; SUSSEX COUNTY
SHERIFF ROBERT E. UNTIG, in his
individual and official capacity, TROOPER
DEFENDANTS JOHN/JANE DOES 1-5, in
their individual capacity; SUPERVISING
TROOPER DEFENDANTS JOHN/JANE
DOES 5-10, in their Individual capacity;
SUSSEX COUNTY DEFENDANTS
JOHN/JANE DOES 10-15, in their individual
and official capacities, SUPERVISING
SUSSEX COUNTY DEFENDANTS
JOHN/JANE DOES 15-20, in their individual
and official capacity.

Case No.: 3:12-cv-07068 (FLW) (LHG)

CIVIL ACTION

CERTIFICATION OF SERVICE

Filed Electronically

THOMAS A. KEENAN, ESQ., of full age and being duly sworn, upon his oath deposes

and says:

1. I am an attorney-at-law of the State of New Jersey and a partner with the firm of Keenan & Doris, LLC, Attorneys for Defendants, County of Sussex and Sussex County Sheriff Robert E. Untig, in the above matter. I am responsible for the handling of the within matter, and am fully familiar with the facts of this case.

2. On January 11, 2013, I electronically filed an Answer to Plaintiffs' Complaint on behalf of the County of Sussex and Sheriff Robert E. Untig.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

KEENAN & DORIS, LLC
Attorneys for Defendants,
County of Sussex and Sheriff Robert E. Untig

By: /s/ Thomas A. Keenan
THOMAS A. KEENAN

Dated: January 11, 2013